



# **Minnesota Board of Peace Officer Standards and Training**

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## **Advisory Committee on Post Board Rules Overhaul MEETING AGENDA**

1600 University Avenue, Suite 200  
Saint Paul, Minnesota

**January 13, 2021  
9:30 a.m. -12:30 p.m.**

**This meeting will be held online due to COVID-19 emergency, a link to observe the meeting will be on the POST website prior to the meeting.**

1. Welcome/Housekeeping/Roll Call
2. Agenda Approval
3. Minutes Approval  
November 12, 2020  
December 10, 2020
4. Background Information
5. Mandated Policies
6. Classroom Discrimination
7. Licensure Requirements
8. Wrap-up
9. Adjournment

**MINNESOTA BOARD OF  
PEACE OFFICER STANDARDS AND TRAINING**

**Advisory Committee on POST Board Rules Overhaul Meeting  
POST Board Office  
Electronic Meeting VIA Microsoft Teams  
November 12, 2020**

**Members Present**

David Bicking  
Bill Bolt  
Elliot Butay  
Jean Cemensky  
Vincent Do  
Sara Edel  
Craig Enevoldsen  
Mark Fahning  
Michelle Gross

Elisabeth Lee  
Bryan Litsey  
Theresa Paulson  
Jack Serier  
Raj Sethuraju  
Steven Soyka  
Tracy Stille  
Aaron Suomala-Fokerds  
Sherisse Truesdale-Moore

**Members Absent**

Gwen Degroff-Gunter  
Pat Nelson

**Staff Present**

Rebecca Gaspard  
Erik Misselt  
Abby Brown

**Others Present**

Invitation to listen to the live meeting  
was posted on the website.

Rebecca Gaspard began the meeting at 9:30 am.

Roll call was conducted by Abby Brown.

**Approval of the Agenda:** Vote to approve the agenda was taken through a virtual hand raise and was a unanimous vote to approve the agenda.

**Approval of the October 13, 2020 Meeting Minutes:** Vote to approve the meeting minutes was taken through a virtual hand raise and was a unanimous vote to approve the agenda.

**Background Information:** Included in the materials for the meeting was a document to assist in defining common acronyms and definition of Peace Officers and Law Enforcement Agencies.

**Core Values:** After thorough discussion, the majority of the members determined that each member will draft their overarching statement and send to Rebecca. She will then send out a consolidated draft to the members for review and seek consensus at the December 17<sup>th</sup> meeting.

**Mandated Policies:** Compliance and licensure sanctions for failure to comply with mandated policies were discussed. Rebecca clarified that the MN POST Board may impose sanctions against a LEO's license but has no authority to intervene with regards to their employment with the agencies. Board sanctions are not subject to labor agreements between law enforcement agencies and labor unions. Discussion on mandated policies will continue at the December meeting.

The meeting was adjourned at 11:43 am.

**MINNESOTA BOARD OF  
PEACE OFFICER STANDARDS AND TRAINING**

**Advisory Committee on POST Board Rules Overhaul Meeting  
POST Board Office  
Electronic Meeting via Microsoft Teams  
December 10, 2020**

**Members Present**

David Bicking  
Bill Bolt  
Elliot Butay  
Jean Cemensky  
Gwen Degroff-Gunter  
Vincent Do  
Sara Edel  
Craig Enevoldsen  
Mark Fahning  
Michelle Gross

Elisabeth Lee  
Bryan Litsey  
Pat Nelson  
Theresa Paulson  
Jack Serier  
Raj Sethuraju  
Steven Soyka  
Tracy Stille  
Aaron Suomala-Fokerds  
Sherisse Truesdale-Moore

**Staff Present**

Rebecca Gaspard  
Erik Misselt  
Abby Brown  
Angie Rohow

**Others Present**

Invitation to listen to the live meeting  
was listed on the website.

Rebecca Gaspard began the meeting at 1:31 pm.

Roll call was conducted by Abby Brown. Of note - Raj Sethuraju, Jean Cemensky, and Gwen Degroff-Gunter missed roll call, however were in attendance later in the meeting.

**Approval of the Agenda:** Vote to approve the agenda was taken through a virtual hand raise and was a unanimous vote to approve the agenda.

**Background Information:** Ms. Gaspard began by indicating updated notes to the topic list that the Advisory Committee would address during their duration.

**Core Values:** After discussion, the members finalized and adopted the core values.

**Mandated Policies:** Discussion ensued regarding CLEO accountability of ensuring that mandated policies are enforced and individual licensees be held accountable for violations of policies. There is a current rule that licensees are required to report fellow officers that are violators of mandated policies to their CLEO, however there is currently no accountability held by the POST Board for lack of reporting.

The two independent accountability systems (the internal agency discipline and the MN POST Board licensure sanctions) are treated separately but sometimes can happen concurrently.

The meeting was adjourned at 3:32 pm.

## Draft Rules on Mandated and Essential Mandated Policies

### **6700.A001-Mandated Policies**

**Subp.1** Mandated policies under this section are any policy required to be adopted by a law enforcement agency under the provisions of MN Statute 626 or this chapter. All mandated policies and policy revisions must be approved by the POST board before implementation.

### **Subpart 2. Essential mandated policies.**

**A. The following mandated policies are essential policies:**

- 1. Use of Force policy;**
- 2. Allegations of Misconduct policy;**
- 3. Professional Conduct of Peace Officers policy;**
- 4. Impartial Policing/Avoiding Racial Profiling policy.**

**B. Each chief law enforcement officer must ensure that:**

- 1. the current version of each essential mandated policy is posted on the law enforcement agency's website. Where a law enforcement agency does not have a website, the law enforcement agency must provide paper or electronic copy of a mandated policy within 15 days of a request.**
- 2. the agency must provide a paper or electronic copy of a mandated policy within 15 days of a request.**
- 3. each peace officer employed by the agency is provided with a paper or electronic copy of the current version of each mandated policy**
- 4. the agency's adopted policy is enforced**

**C. Licensees must comply with the minimum requirements of each essential mandated policy. The minimum requirements are identified in the model policy. Licensees who violate the minimum requirements of an essential mandated policy are subject to discipline under xxxx.xxx.**

### **Subpart 4. Reporting on Essential Mandated Policies.**

**A. A licensee must report to the board within 5 days of receiving notification from the licensee's employer of a complaint, internal investigation, or disciplinary proceeding against the licensee which includes alleged behavior that would violate an essential policy.**

**B. A chief law enforcement officer must report to the board within 5 days of the receipt of any complaint alleging conduct, which if true, would violate an essential policy. The report must include the officer's name, license number, and a copy of the complaint.**

**C. A licensee who fails to comply with the reporting requirements in this subpart are subject to discipline under xxx.xxx.**

### **Subpart 5. Use of Force Mandated Policy**

**The head of the law enforcement agency identified in MN. Statutes 626.8452 is the licensed chief law enforcement officer appointed or employed by the law enforcement agency.**

**Notes for Rebecca: (to be addressed in other rule parts)**

- 1. possibly coordinate reporting requirements into one section**
- 2. check standards of conduct/ consolidation of conduct/misconduct**
- 3. clarify reporting method in subp.3 (electronic? Part of database?)**



## **Classroom Discrimination**

Current rules contain provisions duplicating existing state and federal statutes prohibiting discrimination in education settings. There is also a provision in rule requiring a statement regarding discrimination to be read aloud at every continuing education class.

**6700.0100 Definitions, Subp. 25. Classroom discrimination.** "Classroom discrimination" means oral, written, graphic, or physical conduct directed against any person or group of persons because of their race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, disability, or veteran's status that has the purpose or reasonably foreseeable effect of demeaning or intimidating that person or group of persons.

### **6700.0401 CLASSROOM DISCRIMINATION; PROCEDURES.**

**Subpart 1. Procedures.** Every certified school must establish written procedures for the investigation and resolution of allegations of classroom discrimination. These procedures must minimally specify:

- A. the person to whom the formal complaint must be made;
- B. the process by which complaints will be investigated;
- C. the sanctions that may be imposed if a complaint is sustained;
- D. the appeal process for the offending party;
- E. the process that will be used to notify the complainant of the investigation and disposition;
- and
- F. the effective date of the procedures or subsequent modifications of procedures.

**Subp. 2. Summary.** The coordinator must provide all new students who are in courses taught as a part of the professional peace officer education program a summary of the written procedures required under subpart 1. The coordinator must provide all faculty and staff members who participate in courses as a part of the professional peace officer education program a copy of the written procedures required under subpart 1. Also, the coordinator must make the procedures required under subpart 1 available to anyone else upon request.

**Subp. 3. Complaints.** Complaints which allege classroom discrimination at a certified school must be processed according to the written procedures adopted by the certified school required in subpart 1.

**6700.0900 CONTINUING EDUCATION. Subp. 6a. Course statement.** The designee of the sponsor shall read aloud the following statement at the beginning of each class:

"The (name of the sponsor) is a continuing education sponsor as approved by the Board of Peace Officer Standards and Training. This course (name of the course), (course number) has been approved by the POST Board for continuing education credit. Peace officers who successfully complete this course will receive (total credits approved) hours of continuing education.

The sponsor of this course has a written policy for the investigation and resolution of allegations of classroom discrimination. This policy applies to all faculty, instructors, administrative staff, and students. A copy of the policy may be obtained from the sponsor by contacting (insert appropriate name and contact information)."

**6700.0900 CONTINUING EDUCATION. Subp. 13. Classroom discrimination; procedures.** Every sponsor must establish written procedures for the investigation and resolution of allegations of classroom discrimination. These procedures must minimally specify:

- A. the person to whom the formal complaint must be made;

- B. the process to investigate complaints;
- C. the sanctions that may be imposed if a complaint is sustained;
- D. the appeal process for the offending party;
- E. the process to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of the procedures.

**6700.0900 CONTINUING EDUCATION. Subp. 14. Copy of procedures.** The sponsor must make the written procedures required in subpart 13 available to all faculty, instructors, administrative staff, and anyone else upon request. Subp. 14a. Complaints. Complaints that allege classroom discrimination during a course must be processed according to the written procedures required in subpart 13 by the sponsor

**6700.0902 ACCREDITATION Subp. 9. Course statements.** The designee of the accredited sponsor shall read aloud the following statement at the beginning of each class: "The (name of the accredited sponsor) is a continuing education accredited sponsor as approved by the Board of Peace Officer Standards and Training. This course (name of the course), (course number) has been approved by the POST Board for continuing education credit. Peace officers who successfully complete this course will receive (total credits approved) hours of continuing education.

The accredited sponsor of this course has a written policy for the investigation and resolution of allegations of classroom discrimination. This policy applies to all faculty, instructors, administrative staff, and students. A copy of the policy may be obtained from the accredited sponsor by contacting (insert appropriate name and contact information)."

**6700.0902 ACCREDITATION. Subp. 12. Classroom discrimination; procedures.** Every accredited sponsor must establish written procedures for the investigation and resolution of allegations of classroom discrimination. The procedures must minimally specify:

- A. the person to whom the complaint must be made;
- B. the process to investigate complaints;
- C. the sanctions that may be imposed if a complaint is sustained
- D. the appeal process for the offending party;
- E. the process to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of the procedures.

**6700.0902 ACCREDITATION. Subp. 13. Copy of procedures.** The accredited sponsor must make the written procedures required in subpart 12 available to all faculty, instructors, administrative staff, and to anyone else upon request.

**6700.0902 ACCREDITATION. Subp. 14. Complaints.** Complaints that allege classroom discrimination during a course must be processed according to the written procedures required in subpart 12 by the accredited sponsor.

## Discrimination prohibited under state and federal statutes

US Department of Education Office of Civil Rights

MN Dept of Human Rights

EEOC – public accommodations

## MN Statutes section 363A.13 EDUCATIONAL INSTITUTION.

### Subdivision 1. Utilization; benefit or services.

It is an unfair discriminatory practice to discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby to any person because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability, or to fail to ensure physical and program access for disabled persons. For purposes of this subdivision, program access includes but is not limited to providing taped texts, interpreters or other methods of making orally delivered materials available, readers in libraries, adapted classroom equipment, and similar auxiliary aids or services. Program access does not include providing attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

**Subd. 2.Exclude, expel, or selection.**

It is an unfair discriminatory practice to exclude, expel, or otherwise discriminate against a person seeking admission as a student, or a person enrolled as a student because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

**Subd. 3.Admission form or inquiry.**

It is an unfair discriminatory practice to make or use a written or oral inquiry, or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, concerning the creed, religion, sexual orientation, or disability of a person seeking admission, except as permitted by rules of the department.

**Subd. 4.Purpose for information and record.**

It is an unfair discriminatory practice to make or use a written or oral inquiry or form of application that elicits or attempts to elicit information, or to keep a record concerning the race, color, national origin, sex, age, or marital status of a person seeking admission, unless the information is collected for purposes of evaluating the effectiveness of recruitment, admissions, and other educational policies, and is maintained separately from the application.



## Requirements for Initial Licensing

Note: A peace officer license is not issued until a person becomes employed as a peace officer. To be eligible to be employed, a person must first complete the required Professional Peace Officer Education (PPOE) and then pass required exams to become eligible for employment as a peace officer.

### Current Licensure requirements

In addition to completing required training, and passing exams:

1. a citizen of the United States.
2. a valid Minnesota driver's license; or in case of residency therein, a valid driver's license from another state; or eligibility to obtain either license.
3. background investigation, including searches by local, state, and federal agencies, to disclose the existence of any criminal record or conduct which would adversely affect the performance by the applicant of peace officer duties.( **626.87**)
4. Can't be a predatory offender under Minnesota Statutes, section [243.166](#) or [243.167](#).
5. No felony convictions or any convictions of narcotics or controlled substances (includes marijuana)
6. No convictions of MN Statutes  
assault [609.224](#),  
domestic assault [609.2242](#)  
mistreatment, abuse or neglect, financial exploitation, of vulnerable adult, failure to report abuse, disorderly conduct against vulnerable adult \_ [609.231](#); [609.2325](#) [609.233](#)  
[609.2335](#), [609.234](#), [609.72](#), subdivision 3  
prostitution [609.324](#),  
theft of public funds, medical assistance fraud [609.465](#), [609.466](#),  
theft [609.52](#), or ; or convicted under any state or federal narcotics or controlled substance law
7. fingerprinted
8. psych eval (including an oral interview, shall be made by a licensed psychologist to determine that the applicant is free from any emotional or mental condition which might adversely affect the performance of peace officer duties.
9. pass a job-related examination of the applicant's physical strength and agility to demonstrate the possession of physical skills necessary to the accomplishment of the duties and functions of a peace officer.
10. an oral examination conducted by or for the agency to demonstrate the possession of communication skills necessary to the accomplishment of the duties and functions of a peace officer.

Not a current requirement:

1. cpr/first aid certification

## STATUTORY REFERENCES TO INITIAL LICENSING:

**626.843 RULES, STANDARDS; EXECUTIVE DIRECTOR. Subdivision 1. Rules required.** The board shall adopt rules with respect to:

(4) minimum standards of physical, mental, and educational fitness which shall govern the admission to professional peace officer education programs and the licensing of peace officers within the state, by any state, county, municipality, or joint or contractual combination thereof, including members of the Minnesota State Patrol;

(11) citizenship requirements for peace officers and part-time peace officers;

(12) driver's license requirements for peace officers and part-time peace officers; and

PO must meet board established education, experience, and testing requirements

**626.845 POWERS AND DUTIES. Subdivision 1. Powers and duties.** The board shall have the following powers and duties:

(3) to license peace officers who have met the education and experience requirements and passed examinations as required by the board;

(9) to obtain criminal conviction data for persons seeking a license to be issued or possessing a license issued by the board. The board shall have authority to obtain criminal conviction data to the full extent that any other law enforcement agency, as that term is defined by state or federal law, has to obtain the data;

PO must be licensed by board

**626.846 ATTENDANCE, FORFEITURE OF POSITION. Subdivision 1. Licensure requirement.**

Notwithstanding any general or local law or charter to the contrary, any peace officer or part-time peace officer employed or elected on or after July 1, 1979, by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota shall not be eligible for permanent appointment without being licensed by the board pursuant to sections 626.84 to 626.863.

Students from certified school can take skills training

**626.851 ELIGIBILITY OF OFFICERS Subd. 2. Postsecondary educational institution eligible for training course.** Any student completing a program of law enforcement instruction in a postsecondary educational institution, which program has been certified by the board, and which institution has been approved by the Minnesota state Department of Education or an accredited institution of higher learning shall be eligible to attend a skills oriented basic training course as established under section 626.843. Nothing contained in sections 626.84 to 626.863 shall be construed to preclude the provision of skills oriented basic training courses by certified law enforcement schools providing such course has been certified by the board

Any College grad can take skills training and then licensing examination

**626.8515 CERTAIN BACCALAUREATE DEGREE HOLDERS ELIGIBLE TO TAKE LICENSING EXAMINATION.** A person with a baccalaureate degree from an accredited college or university who has successfully completed a board-certified practical skills oriented basic training course is eligible to take the peace officer licensing examination

LEA must do background check to see if applicant meets POST standards

**626.87 LAW ENFORCEMENT BACKGROUND INVESTIGATIONS. Subdivision 1. Background investigation required.**

(a) A law enforcement agency shall conduct a thorough background investigation on an applicant for employment as a licensed peace officer or an applicant for a position leading to employment as a licensed peace officer before the applicant may be employed. The background investigation must determine at a minimum whether the candidate meets the following standards:

- (1) standards established by the Minnesota Board of Peace Officer Standards and Training; and
- (2) established security standards for access to state and national computerized record and communication systems.

(b) This requirement does not prevent a law enforcement agency from establishing higher standards for law enforcement employees if those standards are not contrary to applicable law

LEA must notify POST at start of background investigation

**626.87 LAW ENFORCEMENT BACKGROUND INVESTIGATIONS. Subd. 5. Notice of investigation.** Upon initiation of a background investigation under this section, the law enforcement agency shall give written notice to the Peace Officer Standards and Training Board of:

- (1) the candidate's full name and date of birth; and
- (2) the candidate's peace officer license number, if known. The initiation of a background

investigation does not include the submission of an application for employment.

Initiation of a background investigation occurs when the law enforcement agency begins its determination of whether an applicant meets the agency's standards for employment as a law enforcement employee.

**626.8471 AVOIDING RACIAL PROFILING; POLICIES AND LEARNING OBJECTIVES REQUIRED.**

**Subd. 5. Preservice training learning objectives; requirements.**

(a) By August 1, 2001, the board shall prepare learning objectives for preservice training to instruct peace officers in avoiding racial profiling when making stops of citizens. These learning objectives shall be included in the required curriculum of professional peace officer education programs.

(b) An individual is not eligible to take the peace officer licensing examination or the part-time peace officer licensing examination on or after June 1, 2002, unless:

- (1) the individual has received the training described in paragraph (a); and
- (2) the individual has completed a psychological evaluation demonstrating that the individual is not likely to engage in racial profiling

**626.8517 ELIGIBILITY FOR RECIPROCITY EXAMINATION BASED ON RELEVANT MILITARY EXPERIENCE.**

(a) For purposes of this section:

(1) "active service" has the meaning given in section 190.05, subdivision 5; and

(2) "relevant military experience" means:

(i) four years' cumulative service experience in a military law enforcement occupational specialty;

(ii) two years' cumulative service experience in a military law enforcement occupational specialty, and completion of a two-year or more degree from a regionally accredited postsecondary education institution; or

(iii) four years' cumulative experience as a full-time peace officer in another state combined with cumulative service experience in a military law enforcement occupational specialty.

(b) A person is eligible to take the reciprocity examination if the person has relevant military experience and:

(1) has been honorably discharged from military active service as evidenced by the most recent form DD-214; or

(2) is currently in active service as evidenced by:

(i) active duty orders providing service time in military police specialty;

(ii) a United States Department of Defense Manpower Data Center status report pursuant to Service Members Civil Relief Act, active duty status report; or

(iii) Military Personnel Center assignment information.

(c) A person who passed the examination under paragraph (b), clause (2), shall not be eligible to be licensed as a peace officer until honorably discharged as evidenced by the most recent form DD-214. History: 1Sp2001 c 8 art 7 s 5; 2009 c 94 art 3 s 20; 2013 c 142 art 4 s 11; 2014 c 268 s 1

## **RULES**

### **6700.0500 PEACE OFFICER LICENSING EXAMINATION.**

Subpart 1.[Repealed, 14 SR 12]

Subp. 2.[Repealed, 14 SR 12]

Subp. 3.Eligibility for examination.

Students who successfully complete professional peace officer education which meets the minimum requirements in part [6700.0300](#), subpart 1, are eligible to take the peace officer licensing examination. An application must include an official certified transcript showing the completion of a postsecondary degree and the coordinator's signature attesting to the student's successful completion of professional peace officer education.

Subp. 4.[Repealed, 11 SR 2337]

Subp. 5.Reinstatement of eligibility.

Upon successful completion of the peace officer licensing examination, a person is eligible to be licensed for three years. If the person is not licensed after three years, the person may reinstate eligibility by passing the peace officer licensing examination again. Upon successful completion of the examination the person is eligible to be licensed for three years.

Statutory Authority:

MS s [214.10](#); [214.12](#); [626.843](#); [626.845](#)

### **6700.0600 LICENSING EXAMINATIONS.**

Subpart 1. Application.

An applicant for any of the licensing examinations shall submit an application and documentation as required by the board. An application shall be accompanied by the appropriate nonrefundable fee under subpart 2. Applications are valid for one year from the date they are approved by the board.

Subp. 2.Nonrefundable fee.

A nonrefundable fee shall be paid to the board before taking the following licensing examinations:

A. peace officer licensing examination, \$105; and

B. reciprocity examination, \$105.

Subp. 3.Retaking examinations.

An applicant who fails an examination will be allowed to retake that examination two times, upon furnishing to the board a renewed written application and appropriate fee. ~~§~~

Subp. 4.Remedial examination procedures.

A third or subsequent retake of the examination will require the applicant to submit a remedial training plan to the executive director for board approval. This plan must be directed at deficiencies indicated in previous examinations and must include, at a minimum, the following:

- A. training activities to be completed;
- B. evaluation process to be used in verifying satisfactory completion of the listed activities; and
- C. date of completion of all activities.

An additional written application and appropriate fee will be required for each administration of the examination.

**Subp. 5. Reinstate eligibility.**

The eligibility for a person to take the examination in subpart 2 shall be void one year after the application to take the examination was received by the board. The fee and any supporting documents are invalid at the same time the application becomes invalid. In order to reinstate eligibility, the person shall comply with subparts 1 and 2.

Statutory Authority:

*MS s [14.06](#); [214.06](#); [214.12](#); [626.843](#); [626.845](#); [626.863](#)*

**6700.0601 EXAMINATION STANDARDS.**

**Subpart 1. Grounds for denial.** Violations of the following standards shall be grounds to deny an applicant to take an examination or to deny or revoke eligibility for a license:

- A. making any false material statement to the board;
- B. communicating with any other person in any way during an examination, except with the express permission of the monitor;
- C. referring to books or any study material during the examination, except with the express permission of the monitor;
- D. obstructing a board investigation;
- E. without board authorization, possessing a copy of any of the board's examinations;
- F. aiding another person to violate items A to E; or
- G. having been convicted of any crime listed as a disqualification from appointment to the position of peace officer under part [6700.0700](#), subpart 1, item F.

**Subp. 2. Disciplinary proceedings.**

Disciplinary hearings under this rule shall be conducted pursuant to Minnesota Statutes, section [214.10](#), subdivisions 2 to 5; parts [1400.5100](#) to [1400.8400](#); the Administrative Procedure Act, Minnesota Statutes, sections [14.001](#) to [14.69](#); and the rules of the Office of Administrative Hearings, chapter 1400. The requirement to notify the chief law enforcement officer shall be waived if the person does not currently possess a license.

**Subp. 3. Suspension or revocation of license.**

If the board receives a complaint which alleges a violation of subpart 1 after the person receives a license, the board shall begin proceedings to suspend or revoke the license.

Statutory Authority: *MS s [214.10](#); [214.12](#); [626.843](#); [626.845](#); [626.8462](#) to [626.863](#)*

**6700.0700 MINIMUM SELECTION STANDARDS.**

**Subpart 1. Selection standards.**

A person eligible to be licensed shall meet the following minimum selection standards before being appointed to the position of peace officer. The appointing authority may affirm that the applicant has already completed certain of these standards, but the affirmation must be documented pursuant to subpart 2.

- A. The applicant shall be a citizen of the United States.

B. The applicant shall possess a valid Minnesota driver's license; or in case of residency therein, a valid driver's license from another state; or eligibility to obtain either license.

C. The applicant shall complete a comprehensive written application.

D. The applicant shall submit to a thorough background search, including searches by local, state, and federal agencies, to disclose the existence of any criminal record or conduct which would adversely affect the performance by the applicant of peace officer duties.

E. The applicant must not be required to register as a predatory offender under Minnesota Statutes, section [243.166](#) or [243.167](#).

F. No applicant may be appointed to the position of peace officer who has been convicted:

(1) of a felony in this state or in any other state or federal jurisdiction;

(2) of any offense in any other state or federal jurisdiction which would have been a felony if committed in Minnesota;

(3) under Minnesota Statutes, section [609.224](#), [609.2242](#), [609.231](#), [609.2325](#), [609.233](#), [609.2335](#), [609.234](#), [609.324](#), [609.465](#), [609.466](#), [609.52](#), or [609.72](#), subdivision 3; or convicted under any state or federal narcotics or controlled substance law irrespective of any proceeding under Minnesota Statutes, section [152.18](#), or any similar law of another state or federal law; or

(4) of any of the crimes listed in this item in another state or federal jurisdiction, or under a local ordinance that would be a conviction if committed in Minnesota.

G. The applicant shall be fingerprinted for the purpose of disclosure of any felony convictions. Fingerprint cards shall be forwarded to the appropriate divisions of the Bureau of Criminal Apprehension and the Federal Bureau of Investigation. The chief law enforcement officer shall immediately notify the board if a previous felony conviction is discovered.

H. A licensed physician or surgeon shall make a thorough medical examination of the applicant to determine that the applicant is free from any physical condition which might adversely affect the performance of peace officer duties.

I. An evaluation, including an oral interview, shall be made by a licensed psychologist to determine that the applicant is free from any emotional or mental condition which might adversely affect the performance of peace officer duties.

J. The applicant shall pass a job-related examination of the applicant's physical strength and agility to demonstrate the possession of physical skills necessary to the accomplishment of the duties and functions of a peace officer.

K. The applicant shall successfully complete an oral examination conducted by or for the agency to demonstrate the possession of communication skills necessary to the accomplishment of the duties and functions of a peace officer.

**Subp. 2. Documentation.** The chief law enforcement officer shall maintain documentation necessary to show completion of subpart 1. The chief law enforcement officer is not required to obtain documentation for subpart 1, item J, if the applicant completed part [6700.0500](#), subpart 3. The documentation is subject to periodic review by the board, and shall be made available to the board at its request.

Subp. 3. [Repealed, 18 SR 1961]

**Subp. 4. More rigid standards.**

An appointing authority may require an applicant to meet more rigid standards than those prescribed in this part.

Statutory Authority: *MS s* [214.10](#); [214.12](#); [626.84](#) to [626.863](#)

**6700.0800 LICENSING OF PEACE OFFICERS.**

**Subpart 1. Board appointees; notification.**



The chief law enforcement officer shall notify the board of the appointment of any person to the position of peace officer before the first day of the appointee's employment. Notification shall be made on a form provided by the board, and it shall include the appointee's full name, sex, date of birth, the effective date of the appointment, and an affirmation that the appointee has met all selection standards as prescribed in part [6700.0700](#). The appointee may not exercise peace officer powers until the notification form is received and approved by the board. **What does board approval look like?**

**Subp. 2. Application procedures.**

If the appointee is not already a licensed peace officer, but is eligible to be licensed, the appointee shall apply to be licensed at the time of appointment. Application shall be made on a form provided by the board, and both the applicant and the chief law enforcement officer shall affirm that the applicant is eligible to be licensed. The applicant shall also submit the licensing fee as prescribed in subpart 4. **Where is application form?**

**Subp. 3. License certificate.**

The executive director shall issue a license certificate to an applicant who has complied with the requirements in subpart 2 and part [6700.0700](#), subpart 1, and whose affirmations are consistent with the board's records. The period of initial licensure is determined by the original date the license was issued. The license shall be due for renewal on June 30 of the third calendar year after the year the license was issued, regardless of the month and day of initial licensure.

**Subp. 4. Licensing fee.**

The licensing fee is \$90. The license will be valid through June 30 of the third year following receipt.

**Subp. 5. Surrender of license certificate.**

Licenses shall remain the property of the board. The license certificate and any renewal certificates shall be surrendered to the board if suspended or revoked.

Statutory Authority: *MS s [14.06](#); [14.22](#) to [14.28](#); [16A.128](#); [214.06](#); [626.843](#); [626.845](#); [626.863](#)*

**ALSO: What about military temp licenses?**

197.4552 EXPEDITED AND TEMPORARY LICENSING FOR FORMER AND CURRENT MEMBERS OF THE MILITARY. Subdivision 1. Expedited licensing processing. Notwithstanding any other law to the contrary, each professional licensing board defined in section 214.01, subdivisions 2 and 3, shall establish a procedure to expedite the issuance of a license or certification to perform professional services regulated by each board to a qualified individual who is: (1) an active duty military member; (2) the spouse of an active duty military member; or (3) a veteran who has left service in the two years preceding the date of license or certification application, and has confirmation of an honorable or general discharge status.

**Subd. 2. Temporary licenses.**

(a) Notwithstanding any other law to the contrary, each professional licensing board defined in section 214.01, subdivisions 2 and 3, shall establish a procedure to issue a temporary license or certification to perform professional services regulated by each board to a qualified individual who is:

- (1) an active duty military member;
- (2) the spouse of an active duty military member; or
- (3) a veteran who has left service in the two years preceding the date of license or certification application, and has confirmation of an honorable or general discharge status.

(b) A qualified individual under paragraph (a) must provide evidence of:

- (1) a current, valid license, certificate, or permit in another state without history of disciplinary action by a regulatory authority in the other state; and
- (2) a current criminal background study without a criminal conviction that is determined by the board to adversely affect the applicant's ability to become licensed.

(c) A temporary license or certificate issued under this subdivision shall allow a qualified individual to perform regulated professional services for a limited length of time as determined by the licensing board. During the temporary license period, the individual shall complete the full application procedure as required by applicable law.

Subd. 3. Rulemaking. Each licensing board may adopt rules to carry out the provisions of this section.

History: 2014 c 312 art 4 s 18